

1 The Honorable James L. Robart
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9
10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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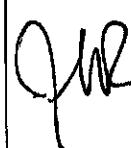
14 PHILIPS NORTH AMERICA LLC, a
15 Delaware Company, and KONINKLIJKE
16 PHILIPS N.V., a Company of the Netherlands,
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18 Plaintiffs,
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20 vs.
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22 SUMMIT IMAGING INC., a Washington
23 Corporation; LAWRENCE R. NGUYEN, an
individual; and DOES 1-10, inclusive,
24

25 Defendants.
26
27

NO. 2:19-cv-01745-JLR


STIPULATED MOTION AND
[PROPOSED] ORDER CONSENTING
TO PLAINTIFFS' FILING A FIRST
AMENDED COMPLAINT,
EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
FIRST AMENDED COMPLAINT,
AND EXTENDING INITIAL
SCHEDULING DATES

NOTE ON MOTION CALENDAR:
December 19, 2019

19 I. STIPULATION
20

21 Plaintiffs Philips North America LLC and Koninklijke Philips N.V. and Defendants
22 Summit Imaging, Inc. and Lawrence R. Nguyen, by and through their undersigned counsel of
23 record, hereby stipulate and agree as follows:

24 1. Plaintiffs Philips North America LLC and Koninklijke Philips N.V. filed their
25 Complaint on October 29, 2019 and served Defendants Summit Imaging, Inc. and Lawrence R.
26 Nguyen on November 7, 2019.
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STIPULATED MOTION AND ORDER RE: FAC,
EXTENDING TIME FOR DEFENDANTS TO RESPOND,
AND EXTENDING INITIAL SCHEDULING DATES - 1
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1 2. On November 15, 2019, the parties filed a stipulation to extend Defendants'
2 deadline to respond to the Complaint from November 29, 2019 to December 20, 2019, and the
3 Court accepted the parties stipulation and entered an order accordingly. ECF-17, ECF-18.
4

5 3. Plaintiff Philips North America LLC and Philips India, Ltd. recently received
6 copyright registrations for software that is at issue in this lawsuit. Plaintiffs advised
7 Defendants that based on these registrations they intend to amend the complaint to add a claim
8 for copyright infringement which arises out of and relates to the same conduct alleged in the
9 original complaint.

10 4. Preserving all of their rights to respond to the First Amended Complaint as
11 provided in Rule 12, Defendants consent to the filing of the First Amended Complaint,
12 including the addition as a plaintiff of Philips India, Ltd., the alleged co-owner or owner of
13 each copyright at issue.

15 5. Pursuant to LCR 7 and LCR 10(g), the parties submit for the Court's approval
16 this stipulation to: (a) permit the filing of a First Amended Complaint to add a cause of action
17 for copyright infringement pursuant to 17 U.S.C. §§ 101, 501, *et. seq.*; (b) add Plaintiff Philips
18 India, Ltd. as a named plaintiff in this lawsuit; and (c) extend the time for Defendants to answer
19 or otherwise respond to the First Amended Complaint by seven (7) days.
20

21 6. With Defendants' consent, Plaintiffs will file their First Amended Complaint on
22 or before December 20, 2019. The parties are further agreed that—subject to the Court's
23 approval—Defendants' deadline to respond to the First Amended Complaint should be
24 extended until January 10, 2020, a seven (7) day extension. The parties respectfully submit that
25 the upcoming holiday constitutes good cause in accordance with LCR 16(b) for this brief
26 requested extension of Defendants' response deadline.
27

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7. As a related matter, the parties are also agreed—again, subject to the Court’s approval—that the dates and deadlines provided for by the Court’s Order Regarding Initial Disclosures and Joint Status Report (ECF-20) should be extended as follows:

- (a) Deadline for FRCP 26(f) Conference – January 16, 2020;
- (b) Initial Disclosures – January 31, 2020; and
- (c) Joint Status Report – February 7, 2020.

The parties respectfully submit that the revised schedule as noted above and for the reasons stated, including the filing of a First Amended Complaint, constitutes good cause in accordance with LCR 16(b) for this brief requested extension of the Rule 26 dates.

DATED: December 19, 2019

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17 *and Lawrence R. Nguyen*

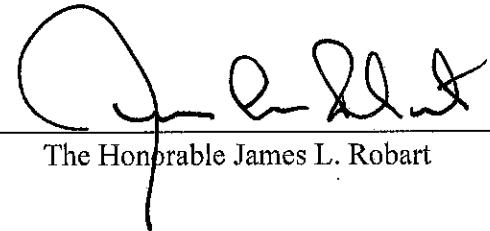
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2 **II. ORDER**
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4 It is so ORDERED.
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6 DATED this 20th day of December, 2019.
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The Honorable James L. Robart


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